

In the following, we would like to inform you about the collection, processing and use of personal related data within the framework of the whistleblower system if you submit a report to us by e-mail, telephone call, letter or in a personal conversation.

## **1. Who is responsible for data processing?**

The controller for data processing within the meaning of data protection law is

DPE Investment GmbH  
Ludwigstrasse 7  
80539 Munich

You can find further information about our company, details of the authorised representatives and other contact options in the legal notice on our website: <https://www.dpe.de/de/kontakt-impressum>

## **2. Which of your data do we process and for what purpose?**

Use of the whistleblowing system is voluntary. If you submit a report via the whistleblowing system, we collect the following personal data and information:

- Your name, if you disclose your identity,
- Your contact details, if you provide them,
- The fact that you have made a report via the whistleblower system,
- The company where you are employed (if indicated)
- if applicable, names of persons and other personal data of the persons you name in your notification.
- Your description of the facts

## **3. What is the legal basis for this?**

The purpose of the whistleblower system is to receive and process reports of (suspected) breaches of the law or serious internal breaches of rules against our company in a secure and confidential manner.

The processing of personal data as part of the whistleblower system is based on our legitimate interest in the detection and prevention of malpractice and the associated avoidance of damage and liability risks (Art. 6 para. 1 lit. f GDPR in conjunction with §8 LKSG).

If a report received concerns an employee of our company, the processing also serves to prevent criminal offences or other legal violations in connection with the employment relationship (Section 26 (1) BDSG).

The processing of the notifier's identification data is based on consent to be given (Art. 6 para. 1 lit. a GDPR). The voluntary nature of the consent is given by the fact that the notification can also be submitted anonymously. However, consent can generally only be withdrawn within one month of receipt of the report, as in certain cases we are obliged under Art. 14 para. 3 lit. a GDPR to inform the accused person about the allegations made against them and the investigations carried out within one month, including the storage, the type of data, the purpose of processing and the identity of the controller and the reporter.

It is then no longer possible to stop processing the notifier's identification data.

In addition, the processing of the data is already so far advanced after the point in time that deletion is no longer possible. However, the cancellation period can also be shortened, sometimes

considerably. This is the case if the nature of the report requires the immediate involvement of an authority or a court. As soon as we have disclosed the name to the authority or court, it is stored both in our case files and with the authority or court and can no longer be deleted.

#### **4. How long will the data be stored?**

Personal data will be stored for as long as required for clarification and final assessment or for as long as the company has a legitimate interest or is required by law. This data is then deleted in accordance with the legal requirements. The duration of storage depends in particular on the severity of the suspicion and the reported possible breach of duty.

#### **5. To which recipients is the data passed on?**

Incoming information is received by a small group of expressly authorized and specially trained employees and is always treated confidentially. The respective employees examine the facts of the case and, if necessary, carry out further case-related clarification of the facts.

In certain cases, we are obliged under data protection law to inform the accused person of the allegations made against them.

If there is a significant risk that such information would jeopardize the effective investigation of the allegation or the collection of the necessary evidence, the information to be provided to the accused person may be postponed for as long as this risk exists.

Your identity as a whistleblower will not be disclosed - insofar as this is permissible in accordance with Art. 14 para. 3 lit. a GDPR.

Confidentiality cannot be guaranteed if false information is knowingly posted with the aim of discrediting a person (denunciation).

When processing a report or as part of an investigation, it may be necessary to pass on information to other employees of the group of companies (subsidiaries), e.g. if the information relates to events in subsidiaries.

We always ensure that the relevant data protection regulations are complied with when passing on information.

In the event of a corresponding legal obligation or a requirement under data protection law for the clarification of information, other possible categories of recipients include law enforcement authorities, antitrust authorities, other administrative authorities, courts and international law firms and auditing firms commissioned by us.

Every person who has access to the data is obliged to maintain confidentiality.

#### **6. Where is the data processed?**

The data is processed exclusively on our in-house IT infrastructure.

#### **7. What rights do you have as a "data subject"?**

Under European data protection law, you and the persons named in the notice have the right of access, rectification, erasure, restriction of processing and a right to object to the processing of your personal data and, in certain cases, the right to data portability.

Your right to object: You have the right to object to the processing of your personal data on grounds relating to your particular situation. The prerequisite for this is that the data processing is carried out in the public interest or on the basis of a balancing of interests. The objection can be made informally

## Data protection information in connection with the Whistleblower system



and should preferably be sent to the contact details listed in this data protection notice. If the right to object is exercised, we will immediately check the extent to which the stored data is still required, in particular for the processing of a notification. Data that is no longer required will be deleted immediately.

### 8. Who is the person responsible for data protection?

We have anchored the topic of data protection directly in the management. You can therefore contact our data protection officer directly if you have any questions. You can reach him at the e-mail address: [datenschutz@dpe.de](mailto:datenschutz@dpe.de).

### 9. Who is the supervisory authority responsible for us?

You have the right to lodge a complaint about our processing of your personal data with a data protection supervisory authority. The authority responsible for us is:

Bavarian State Office for Data Protection Supervision

Promenade 18  
91522 Ansbach

Telephone: 0981 / 1800 93-0  
Fax: 0981 / 1800 93-800

e-mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)  
Homepage: <https://www.lda.bayern.de>